

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Respondent,

v.

No. 11-cr-1322-RB

PAUL JESSIE TRUJILLO,

Defendant-Movant.

MEMORANDUM OPINION AND ORDER

THIS MATTER is before the Court on Paul Jessie Trujillo's Motion for Sentence Reduction Under 18 U.S.C. § 3582(c)(1)(A). (Doc. 96.) Trujillo files a form motion and checks boxes stating that he seeks compassionate release on the bases that he has "a serious physical or medical condition" that he is "not expected to recover from" and because "[t]here are other extraordinary and compelling reasons for [his] release." (*Id.* at 4.) Trujillo also asks the Court to appoint an attorney to help him with his motion. (*Id.* at 6.)

The Court will deny the request for an attorney. "First, 'no right to appointment of counsel exists when pursuing relief under 18 U.S.C. § 3582(c).'" *United States v. Little*, CR No. 14-195 KG, 2020 WL 2736944, at *1 (quoting *United States v. Olden*, 296 F. App'x 671, 674 (10th Cir. 2008)). Moreover, the Court declines to appoint counsel when Trujillo has provided no details about the bases for his requested relief. Although Trujillo has taken care to attach a Proposed Release Plan, he fails to submit a brief to explain why he believes he is entitled to compassionate release or to provide authority in support of his motion. The Court is unable to make an informed ruling without such a brief.

THEREFORE,

IT IS ORDERED that the Court **DENIES IN PART** Trujillo's motion (Doc. 96) to the extent he requests appointment of counsel. The Court **RESERVES RULING** on the remainder of the motion.

IT IS FURTHER ORDERED that Trujillo shall file, no later than **March 1, 2023**, a brief in support of his motion that thoroughly explains the basis for his requested relief and any authority and/or documentation in support thereof. Should Trujillo fail to file such a brief, the Court may summarily deny without prejudice his motion.



ROBERT C. BRACK
SENIOR U.S. DISTRICT JUDGE